

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Michael Fiorito,

Case No. 22-cv-0512 (WMW/TNL)

Petitioner,

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

v.

Warden Fikes,

Respondent.

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Before the Court is the May 23, 2022 Report and Recommendation (R&R) of United States Magistrate Judge Hildy Bowbeer. (Dkt. 30.) No objections to the R&R have been filed. In the absence of timely objections, this Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The May 23, 2022 R&R, (Dkt. 30), is **ADOPTED**.
2. Petitioner Michael Fiorito's motion for an emergency preliminary injunction or temporary restraining order, (Dkt. 11), is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 23, 2022

s/Wilhelmina M. Wright  
Wilhelmina M. Wright  
United States District Judge